

REMARKS

Reconsideration of this application is respectfully requested.

Independent claims 1, 5, and 6 have been amended to correct the improper Markush expression objected to by the Examiner.

Claims 1, 5, and 6 have been limited by restricting the sulfur-free metal detergent (B) to alkali metal or alkaline earth metal salicylate, which have been listed as one of the Markush members in the same claims. Claims 10 to 12 are cancelled accordingly.

New claims 13 to 19 have been added, which further limit the invention closer to the Examples in Table 6. The support for claims 13, 15, and 18 is found in Table 6, referring back to page 63, lines 16 to 17 of the specification, and the additional support for claims 14, 17, and 19 is found in Table 6, referring back to page 71, lines 16 to 17 of the specification. New claim 16 corresponds to claim 2.

Claims 1-2, 4-7, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyake et al., JP Publication No. 2000-297373 (Miyake) in view of Yagishita et al., US Patent Application Publication No. 2002/0142922 (Yagishita). This ground for rejection is respectfully traversed.

Miyake discloses sliding members having a pair of DLC contacting faces used in lubricating oils. Miyake examines the friction reducing effect of the sliding member with various kinds of DLC coated surfaces. That is, what is examined by Miyake as contributing the friction reducing effect is not the lubricant, but the DLC coated surfaces. Miyake does not teach or even suggest the lubricant containing components (A) to (C) or (A) to (D) of the present invention. Miyake does not even discuss the suitable kinds of lubricants.

Yagishita discloses a lubricating oil composition which can suppress the decrease of the base number resulting from the deterioration of the lubricating oil while maintaining anti-wear properties, which has excellent long drain properties and high-temperature detergency, and which provides fuel efficiency (see paragraph [0007]).

However, Yagishita does not examine the friction reducing effect of a lubricant, which is a primary object of the present invention, still less the friction reducing effect of a lubricant in sliding members having a pair of DLC contacting faces as disclosed in Miyake, or in a system having DLC contact surfaces as in the present invention. Yagishita discloses no Example wherein the friction reducing effect of a lubricant is examined.

In the absence of the common object, there would have been no motivation for the skilled person in the art to apply the lubricating oil composition of Yagishita to the DLC contacting faces of Miyake. The skilled person in the art would not expect that a stable low friction property may be maintained as demonstrated in the Examples of the present application by applying the lubricating oil composition of Yagishita to the DLC contacting faces of Miyake.

Further, there is no Example in Yagishita disclosing a lubricant oil composition containing a friction modifier, which is an essential component of the present invention. Yagishita does disclose in the Detailed Description of the Invention at paragraph [0126] that a friction modifier may be contained in the lubricant oil composition as an optional component among various additives. However, as mentioned above, it cannot be said to be obvious to select a friction modifier among various other optional additives since the purpose of the composition of Yagishita is different from that of the present invention or Miyake.

Therefore, the present invention is not obvious over Miyake in view of Yagishita and this ground for rejection should be withdrawn.

Meanwhile, the scope of newly added claims 13 and 14 is narrow enough to be particularly commensurate with the Examples of the present application. Thus, the unexpected

Applicant : Shozaburo Konishi et al.
Serial No. : 10/566,915
Filed : May 11, 2006
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results, which were argued in the previous Response, should be admitted, and the present application should be allowed.


Please apply any charges or credits to deposit account 06-1050.

A prompt and favorable action on the merits of this application is respectfully requested.

Respectfully submitted,

Date: _____

4-20-10



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